IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.207 of 2006
DATE OF DECISION: 25.8.2006

State of Haryana and another

...Appellants

versus

Sanju Devi and others

... Respondents

CORAM:- Hon'ble Mr. Justice Uma Nath Singh.
Hon'ble Mr.Justice Mahesh Grover.

Present: Mr.S.K.Monga, DAG, Haryana
for the appellants.
Mr.Paul S.Saini, Advocate
for respondent No.5.

UMA NATH SINGH, J. (ORAL)

Heard learned counsel for the parties and perused the records.

1. It appears from the rival submissions that the driver of the offending vehicle was issued a valid driving licence (No.4809 dated 7.11.1986) but the Investigator of the Insurance Company submitted a wrong report about some different driving licence with the same No. 4809 but having a different date of issuance as 7.9.1998. Learned counsel for the

appellants has produced a report of the District Transport Officer (Licencing), Jaipur to that effect. Further, the said licence has also been found to be duly renewed by a different Transport Authority being the District Transport Officer, Sonepat, which covers the period of accident in question. Moreover, there is no dispute about the insurance of the vehicle.

2. Under the circumstances, we allow the appeal filed against the recovery right granted to the Insurance Company and modify the award accordingly. The rest of the award shall remain intact.

(UMA NATH SINGH)
JUDGE

August 25, 2006 **(MAHESH GROVER)**
pk **JUDGE**